IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6728 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

DHAVAL S MODI

Versus

STATE OF GUJARAT

Appearance:

M/S TRIVEDI & GUPTA for Petitioner

NOTICE SERVED for Respondent No. 1

Ms. B.R. Gajjar,GOVT PLEADER for Respondent No. 4

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 02/05/2000

ORAL JUDGEMENT

The petitioner Mr. Dhaval S. Modi was studying in B.J. Medical College at Ahmedabad, and he was asked to pursue his studies in M.P. Shah Medical College at

Jamnagar. Having felt aggrieved by the order, the petitioner has filed present writ petition.

2. Ad interim order was passed on 7th September 1990, directing the State respondents to allow the petitioner to attend the class in B.J. Medical College at Ahmedabad. Learned counsel for the petitioner Mr. Trivedi submitted that the petitioner in the meantime has completed the P.G. course and he has left the B.J. Medical College, Ahmedabad. He has submitted that since the ad interim order continued, the petitioner might have completed his course in the meantime, and therefore, the present petition has become infructuous.

3. I am also of the view that in pursuance of the ad interim order the petitioner was continued to attend the classes in B.J. Medical College and since the matter relates to the year 1990, I think that the petitioner in the meantime might have completed the course. Therefore the petition has become infructuous and accordingly I dispose of the petition as infructuous. In case the petitioner is still aggrieved, he may approach this Court once again. Rule discharged. Ad interim relief granted earlier shall stand vacated. I make no order as to costs.

Dt: 2-5-2000

(P.K. Sarkar, J)

/vgn.